PRICE TWO CENTS.

CASSIE GOES WEST

Says She'll Tell All, After Paying Everybody.

WAIVES AN EXAMINATION.

Judge Olcott Tells How the Woman Had Him Fooled.

Got \$1,500 Out of Him, but He Went to Cleveland and Got It Back-Ex-Gov. Black Got 850 in Real Money From Consultation Fee-She Told the Firm That She Was Carnegle's Daughter and Worth Many Millions -She Became Talkative Yesterday and Told About Her Extremely Prominent Nameless Friends-Will Name Them. -Denies That She Quits New York to Avoid Facing Mr. Carnegie.

After hearing that the Grand Jury of Cuyahoga county, Ohio, had indicted her MAN RUN OVER MAKES MYSTERY. on two counts for forgery, and that, if she obtained bail, she was certain to be rearrested, Mrs. Chadwick decided yesterday afternoon to go to Cleveland in answer to the Federal warrant from that city. She waived examination before Commissioner Shields and left on the 8 o'clock P. M.Cleveland special over the New York Central, in charge of two deputy marshals. Three going down Broadway at an easy pace. Secret Service men also went along. Mrs. Chadwick is due to reach Cleveland at 11:10 the ankles. Philip Herbert, the driver, this morning. She said that she did not had shut off the engine and put on brakes, intend to give bail there.

"I hope you will take me at once to the jail wh n we get there," she said to United In writhing to get free he banged his head States Marshal Henkel.

Sitting in his office with her lawyer, Philip Carpenter, just before her departure, she asked to see the reporters. They filed in in a body and Mrs. Chadwick looked them all over. There was no trace of illness about her. She talked in a rasping voice, with a slight impediment of speech, and regardless of grammar.

I am going home for the sole purpose of facing my creditors and facing whatever charges they have against me," she said.

"I am going back voluntarily and not because I could not obtain bail. I have had bail offered to me by many prominent persons. To-day it was offered to me by one of the most prominent men in this country. He said that just a wire would bring him here immediately—isn't that

Mr. Carpenter said it was so. No names of prominent men were offered in evidence. Mrs. Chadwick went on:

"I have had at least half a dozen prominent people offer me bail. There was no as he was driven away. reason why I could not get bail-none at all. I am not going to answer any questions, however. I simply am going to say have to say. As am a wreck, and the way my maid and son have been harassed has been very em-

"I am going home simply because there is my place to be, and I shall not give bail municipal elections to-day. In most cases after I get there. I have the best motive a light vote was cast owing to lack of infor not giving it. The history of my case will be pub ished from beginning to end.

"You will call names?" suggested Mr. Carpenter.

"Yes. I shall use names," continued Mrs. Chadwick. "It will take months to get this statement out. It certainly won't appear until every obligation I have is paid." Mrs. Chadwick laughed when she told how she had once eluded the reporters here.

"Why," she said, "I left the Holland House one night with two of the most prominent men in New York. We went to Sherry's, where we had a little supper, and came back to the Holland House, and you did not see me. On the night I was supposed to have committed suicide I went out and went to the home of one of the most prominent men in New York and stayed until 11:30." "Have you anything to say about the

'Carnegie notes'?" she was asked. "I am not here to answer questions she replied. "I have nothing to say about Mr. Carnegie, nothing to say about that at this time. I have delayed going back to Cleveland because I thought it was best to see what the Grand Jury did. I hear now that they have indicted me. I'm going to get back to Cleveland. If they had indicted me fifty times I should have gone back just the same. I was going back some time ago and had my arrangements made, but they wanted me here to go down to Wall Street again, and I did not get off."

Lawyer Carpenter asked United States District Attorney Burnett, about 2 o'clock yesterday afternoon, if there was any certainty that Mrs. Chadwick would not be rearrested if she gave bail. Gen. Burnett said he couldn't promise. United States Marshal Henkel only yesterday morning had received a letter from Inspector McClusky, asking him to cooperate with the New York detectives, so that Mrs. Chadwick could be rearrested the moment she got out on bail. McClusky wrote at the request of the Sheriff out in Cleveland.

So she decided to go to Cleveland and was taken from the Tombs to the marshal's office. Commissioner Shields sat there took her formal waiver, and Judge Adams

signed a warrant of removal. Marshal Henkel kept the woman in his office until 7 o'clock, when the party drove to the station, making a stop at the Hotel Breslin, where Frieda, the nurse, was waiting with the baggage A good sized crowd had collected at the station, and Mrs. Chadwick, who had been very brisk and lively downtown, developed feebleness and was led slowly along the train platform She was accompanied by Frieda. Her son has gone

While waiting in the marshal's office Mrs. Chadwick had asked if she could have a private drawing room in the sleeper.

ried daughters.

The Downtown Taxpayers' Association, at a meeting held on Tuesday night adopted a resolution requesting the Park Commissioners to name the new park to be constructed in the Fourth ward, Brooklyn, in h. por of Mr. McLaughlin. "A little while ago," she said, " a prominent man offered me a private car if I went back to Cleveland." [Name of prominent man not given.

Marshal Henkel said the drawing room would be all right.

"I want to lock it on the inside," said Mrs. Continued on Second Page.

FIRST FIRE FOR HACKETT BABY. HIGGINS HOLDING NEUTRAL. Mary Mannering, Her Mother, Hustles

room on the second floor of her home at

38 West Thirty-third street, at 9 o'clock

last night, with her three weeks old baby

in the care of a trained nurse, when a maid

opened the door and, trying to conceal

"Mrs. Hackett, I think you had better

A cloud of smoke poured into the room.

get out of the house with the baby; there

Mrs. Hackett ordered the nurse to take the

baby to Dr. Bull's sanitarium, across 🍅e

street, and directed the maid to go for help

to the Park Avenue Hotel. She herself

refused to leave the house, and while the

nurse and the maid went out she called up

Fire Headquarters on the telephone and

then the Lyric Theatre, where her husband

Mr. Hackett was on the stage when the

theatre people received the message, and

they decided not to disturb him until they

learned definitely how serious the fire was

the house by Fire Headquarters. When

they got there they found the maid, Johanna

Galvin; the cook, Peggy McNeill, and Joe

Shepherd, a detective from the Park Avenue

Hotel, fighting the blaze, which was con-

The fire was extinguished in about five

minutes. Mr. Hackett knew nothing about

"You Don't Get My Name in the Papers,"

to cross Broadway at Forty-fifth street

The nigh wheels caught him just above

and the machine was brought to a stop

who were passengers jumped out and dis-

"I'll send for an ambulance," he said

"For God's sake, don't! I don't want

"Then I'll send you home," said Haag,

"None of your business," said the suf-

the auto and drove him to the office of Dr.

"You don't get my name in the papers!"

said the mysterious man, with emphasis,

Apparently, his ankles were both

BAY STATE CITY ELECTIONS.

clected in Boston—The Results.

setts cities, including Boston, held their

terest and the snowstorm. One of the

features of the contests was the defeat in

Fall River of Mayor Grime, who sought

reelection on the Republican ticket, by

John T. Coughlin, Democrat. The strike

openly in favor of the strikers' issue.

of the cotton operatives was what cost

In Salem the Hon. John F. Hurley had

Mayor Peterson, the Republican candi-

campaign that has been particularly

The three-cornered fight in Chicopee resulted in the defeat of Mayor Buckley, who sought office again on the Democratic

ticket, Albert E. Taylor, the Republican

candidate, being elected.
Holyoke, where there were also three candidates, chose Nathaniel P. Avery, the

lis as its Mayor on nomination paper

while in Everett H. H. Newton,

William A. Hastings was successful in his fight against the Republican candidate in

Malden, while in Everett H. H. Newton, head of the Republican ticket was a victor. In Somerville Mayor Chandler, Republican was an easy winner. Chelsea reelected Mayor Willard, but in spite of the work of the no-license advocates the city voted to allow the sale of liquor another year. Worcester elected Mayor Blodgett, Republican, for another term, ex-Mayor O'Connell, a Democrat, being 1,081 votes behind him.

The only change in any city on the license question reported up to a late hour to-night was in Newburyport, that city returning to the license column. Boston and Newton did not elect Mayors this year, the present incumbents holding over for another term.

The Democrats continue in control of the city government of Boston and Street Commissioner Charles was reelected by more than 20,000 plurality. The result of

the Aldermanic common council and school committee fights had not been fully deter-mined up to a late hour. It is known

publican Aldermen have been elected.

Carley, the Democratic Alderman now

another man at a civil service examina-

serving a sentence in the jail for defraud-ing the Federal Government by impersonat-

M'LAUGHLIN LEFT NO WILL.

The family of Hugh McLaughlin have

been unable to discover a will, nor have

they been able to find any lawyer who had

drawn a will for Mr. McLaughlin. Nothing will be done, however, for several days yet, as all of Mr. McLaughlin's private papers will be gone over first. Mr.

papers will be gone over first. Mr McLaughlin leaves a widow and two mar-

Leave New York 5:22 P. M., arrive Clev 7:15 next morning, by New York Central. service. No excess lare.—Ade.

That Is the Surmise of the Family After

st nine Democratic and one Aldermen have been elected

nined up to a late

his political aspirations shattered again

date, the latter winning by 2,100 votes. Cam-

Boston, Dec. 13.—Nineteen Massachu-

The injured man stopped groaning, and

Policeman Hoag came running up.

appeared in the crowd.

any publicity."

"What's your name?"

out of the papers."

sprained.

He Says, After Auto Accident.

fined to a pile of wood in the cellar.

it until after the performance.

Two firemen from Hook and Ladder 24

West Thirty-third street were sent to

They sent his secretary to the house

is playing in the "Fortunes of the King."

her excitement, said:

is a fire in the basement."

Her Out When the Woodbin Blazes Up. BELIEVES HE SHOULD NOT IN-Mrs. James K. Hackett, best known on the stage as Mary Mannering, was in a TERFERE ABOUT SENATORSHIP.

No Candidate but Depew and Black in Sight and No Expectation That a Compromise Candidate Will Develop -No Demonstration of Black Sentiment

Governor-elect Frank Wayland Higgins expected in town this morning, and N. V. V. Franchot of Olean, the Governorelect's neighbor and personal friend, is expected to be along at about the same time. It is reported that the Governorshortly after Jan. 1, will appoint Mr. Franchot to be State Superintendent of Public Works if Mr. Franchot will take the place. Mr. Franchot has many business affairs of importance which have made him hesitate, but it was said of him that he greatly desires the success of Mr. Higgins's administration, and will take the place as a duty if the new Governor believes that he can be of service.

It was reiterated for Mr. Higgins last night that both Senator Platt and Governor-Chairman Odell have made it plain to him that they have no recommendations for office to make to him, but that if Mr. Higgins in selecting men for public place of importance desired their advice they would only be too glad to give it. In other words, it is said that Mr. Higgins so far as possible is to go it alone.

Concerning Mr. Higgins's attitude or the United States Senatorship, Francis Hendricks, State Superintendent of Insurance, said a few words at the Fifth Avenue Hotel last night. Mr. Hendricks and Mr. Higgins served in the State Senate together, and their relations are sincerely

An exceptionally well dressed man tried friendly. Mr. Hendricks said: "While I have no authority to speak for last night. He slipped on the rail of a Mr. Higgins, nevertheless I think that I car track and got a nasty fall. His legs am at liberty to say that Mr. Higgins believes that both Mr. Depew and Mr. Black shot out in front of an auto which was worked equally hard for Republican success in the State in the last campaign and that he should not interfere either for or against either Mr. Depew or Mr. Black in this matter of selecting a United States with the back wheel still on the man's leg. Senator to succeed Mr. Depew." A report which was whispered in Wash-

on the pavement and cut it severely. The ington on Saturday in high Republican driver ran the car on a foot or so and hascircles to the effect that the fight between tened to lift the victim. A man and woman Depew and Black may become so hot that Mr. Hendricks may become the compromise candidate for United States Senator was called to Mr. Hendricks's attention. The basis of the report was that inasmuch as politics runs in cycles Mr. Hendricks may be United States Senator because of a situation almost identical with that of 1886, when the fight between Levi P. Morton and United States Senator Warner Miller for reelection became so keen that Frank Hiscock of Syracuse carried off the prize as the compromise candidate.

ferer. "I'll thank you to keep my name "The only difference between that situa-Haag rang up the ambulance, anyway. tion and the present one," Mr. Hendricks Before it arrived, the unknown had arreplied, "is that Mr. Hiscock was a candiranged with the driver, who took him into date for United States Senator, while I am not. The report is nothing more than Henry Griswold, 70 West Forty-eighth nonsense.

Governor-Chairman Odell has not expressed a preference between Mr. Depew and Mr. Black. He believes he has 83 votes at his back, and Mr. Depew's friends say he has 77 votes at his back out of the 140 Republican Senators and Assemblymen. It will require 71 votes to elect. It is reiterated that Governor-Chairman Odell is awaiting the development of a sentiment favorable to Mr. Black, but up to midnight there has been no swelling outery on the part of the rank and file of the Republican party of the State for Mr. Black's election over Senator Depew. On the other hand, it was Republican testimony that Republicans in every crossroads town and hamlet in the State are speaking up for Depew, and moreover all of the notable Republican newspapers in the State deciare that Senator Depew should be reelected.

Mayor Grime his office, his opponent being Up to this time the only Republicans who have declared unreservedly for Mr. Black are:

Senator Edgar T. Brackett of Saratoga. Representative Lucius N. Littauer

bridge returned Mayor Daly to office again on the non-partisan ticket, ex-Mayor McNamee being beaten by 197 votes, after William C. Warren of Buffalo. William L. Ward of Westchester. Louis F. Payn of Chatham. Abe Gruber of New York city.

Although Mr. Ward is Republican national committeeman for the State he cannot it is known, control the Republican legislators elected in Westchester county on

candidates, chose rathanter 1. Avery, the Republican nominee, by a small majority. Medford elected as Mayor M. F. Dwyer, who ran on a Citizens' Republican ticket against two other candidates. Mayor Buttrick of Melrose was unopposed for reelection. Lynn elected Mayor Eastham to the office again and Beverley elected J. A. Wellings its Mayor on pomingtion papers. Republicans say that Governor-Chairman Odell, at what he considers to be the proper time, will express his preference in the matter of the United States Senatorship. He will not say whether he is to tip the wind

before or after Jan. 1. While Mr. Hendricks remarked that Mr. Depew and Mr. Black worked equally hard for Republican success in the State during the last campaign, other Republicans at the Fifth Avenue Hotel called attention to the fact that Senator Platt's 38,000 letters, which he sent to his friends during the campaign begging them to support Higgins, constituted one of the marvellous features of the campaign; and Senator Platt is heart

Depew's reelection. Indeed, it may be said on the highest Republican authority that Senator Platt now has but one wish which he constantly dwells upon, and that is the return of Mr Depew to be his colleague at Washington. The fact that Senator Depew has informed Governor-Chairman Odell that all recommendations for Federal places presented by the Republican State organization as dominated by Odell will receive earnest support at his hands, and that Senator Platt has coincided with this proposition. removes, it was declared, any intimation that Depew would be unfriendly to the Odell

recommendations for Federal places. But the keen point that Republicans are discussing on every hand is that all efforts to create Republican sentiment in favor of Mr. Black have failed utterly, and that the Republican Senators and Assemblymen who vote against Depew will not do so because their constituents demand such

because their constituents demand such action, but because Governor-Chairman Odell favors Black and not Depew.

Republicans of importance said that they had gone over the situation in all of its chapters, and they did not believe that any climax could arise by which a third or a compromise candidate could carry off the prize, but that the winner will be either Depew or Black.

Denew or Black.
So it was the testimony of all classes of
Republicans who discussed the United
States Senatorship last night that with
President Roosevelt neutral and Governorelect Higgins also neutral, the election of Senator Depew's successor rests entirely with Governor-Chairman Odell, the head of the Republican organization of the State of New York.

JAPS FIRED ON FRENCH FLAG? And Killed a French and a German Officer, a Russian Agent Reports.

Special Cable Despatch to THE SUN. LONDON, Dec. 14.-The Standard gives prominence to a despatch from its Copenhagen correspondent, who asserts that Russian secret agent in London has sent to St. Petersburg information obtained from Japanese documents confirming the reports that the Japanese killed Capt. de Cuverville and Lieut. Gilgenheim, the French and German attachés, who left Port Arthur in a junk last August and who never since have been heard of.

According to the correspondent, the junk sailed out under the French flag. The Japanese torpedo boats did not notice the signals and fired on the junk, killing Lieut. Gilgenheim, the German attaché, and two Chinese.

The junk stopped and was boarded by men from a Japanese cruiser, who subsequently released her, but directed the torpedo boats to sink her, although they knew Capt, de Cuverville was on board The Captain of the cruiser desired to avoid trouble when he found the German Attaché had been killed. The correspondent's informant says

that the Tokio authorities twice ordered Viscount Hayashi, the Japanese Minister at London, to communicate to the English newspapers the fact that a junk flying the French flag had been sunk while trying to escape from Port Arthur, but the Minister refuse d to do so.

The same informant reiterates the report, and gives the alleged details, that four Japanese torpedo boats from England, accompanied by seven hired trawlers, attacked the Baltic fleet on the Dogger Bank, professing that he gleaned the information from a report made to Tokio by Viscount Hayashi.

CITIZENS UNION STRAIGHT Is the City Ticket That R. Fulton Cutting

Predicts. At the dinner given on Monday night by Joseph Levenson, the Republican leader of the Fourth Assembly district, Edward Lauterbach and William Halpin started what seemed to be a boom for Jacob H. Schiff as the Republican candidate for Mayor. President R. Fulton Cutting of the Citizens' Union was asked last night if Mr. Schiff would be acceptable to his organiza-

tion. To this he replied: "The Citizens' Union is not discussing candidates at this time. I believe it is an axiom with politicians that if you really wish to blight a man's political prospects the surest way of doing so is to talk about nominating him months in advance of

It was further ask d of Mr. Cutting if the Citizens' Union would follow next year the policy it adopted in 1901, when it selected three or four men and announced that any one of them would be acceptable to the Union if nominated by one of the two great parties.

"I think not this time." said Mr. Cutting. "While the Union will be glad to see either of the two parties support its candidate, I think, although I no not profess to speak for the Union, that our organization will next year show in an unmistakable manner a decided disposition to maintain its independence and integrity as a non-partisan organization.

PHILIPPINE TRADE TURNS.

Balance Finally Favors the Islands-Native Governor's Election Void. Special Cable Despatch to THE SUN

MANUA, Dec. 13.-The rate of Philippine currency exchange has reached par in the last month, for the first time since the American occupation. The volume of currency was insufficient to handle the harvests, and the balance of trade finally favors the islands, stemming the steady drain that has gone on since 1898. Extraordinary confidence is expressed in the future of the islands.

Gov. Wright does not confirm the election of Abella, the native Governor of the province of the Camerines. He bought votes boldly, and distributed money in the Government Building during the polling. . Another election is set for January.

PALMER HOUSE TO BE BURNED. Depew Was Nominated for the Assembly

on Its Veranda 48 Years Ago. YORKTOWN, N. Y., Dec. 13.-The Palmer

House is to close its doors next Saturday The hotel is at the old Croton dam, in the heart of the New York city watershed region. and was erected about seventy-five years ago. It has been a famous meeting place of the Westchester Republicans since the party was organized in 1856. Senator Depew was nominated on the veranda of the old building the first time he ran for the As-sembly, forty-three years ago, and nearly every year since he has visited the hotel and addressed his old friends and neighbors. He always pleased the landlord by saying hat he had eaten at the most famous hotels that he had eaten at the most ramous hotels in Europe and America, but that he never enjoyed anything half so much as he did the turkey legs and pumpkin pie he got at Croton Dam. Gen. Husted was nominated there for the Assembly twenty-two times.

Yesterday, fifteen New York city water-

shed officials and deputy sheriffs went to the hotel and ordered it closed at the end of the note: and ordered it closed at the end of the week. They left a deputy sheriff in charge to see that their orders were carried out. The landlord, George Palmer, will hold an auction on Dec. 21, and sell his furniture and bar fixtures. He has already furniture and par fixtures. He has already received an award of \$14,000, with six years interest, from the watershed commission for the property. After the auction the building, which is of wood, will be burned and the landlord will take a trip around the

NANCE SPY THREW HIM DOWN. Twice in Fact-Threat to Shoot That He

Couldn't Make Good. Nance Spy, who lives at 144 West Thirtysixth street, used to be the friend of John Wallace of 242 West Thirty-fifth street. Yesterday she went to the Dewcy Theatre with John Williams, who lives in the same house with her. Her former friend heard about it and pawned his overcoat to buy

about it and pawned his overcoat to buy "Dutch courage."

He had a pretty good load of it aboard when Nance and the other John met him on the corner of Broadway and Thirty-fifth street last night, while the between the acts crowd was coming out of the Herald Square Theatre. Wallace shouted: "Look out, everybody! I'm going to shoot!" and zigzagged toward his rival.

The crowd scattered, all except Nance. She collided with her former sweetheart, and he went down on the sidewalk hard. Just then Roundsman Miller came along and saved him from further damage.

He had no gun when he was searched at the Tenderloin station, but they locked him up for being drunk and disorderly.

him up for being drunk and disorderly.

FLORIDA AND WEST INDIAN LIMITED— "FINEST SERVICE SOUTH"— -Leaves New York \$25 A. M. Cally via Penn. & Atlantic Coast Line, 1161 Broadway, N. Y.—Ads.

JUDGE SWAYNE IMPEACHED.

HOUSE ACCUSES HIM OF HIGH CRIMES-VOTE 198 TO 61.

Five Hours Debate on the Charges Against the Florida District Court Judge -Falsifying Expense Accounts Point on Which the Committee Agreed. WASHINGTON, Dec. 13 .- More than twothirds of the House to-day voted to pass the following resolution, reported from the

Committee on the Judiciary: "That Charles Swayne, Judge of the United States Court for the Northern District of Florida, be impeached for high crimes and misdemeanors."

There was no division on the passage of the resolution, but on ordering the previous question the vote was 198 to 61. No demand was made for the yeas and nays. This action followed five hours debate by members of the Committee on the Judiciary, who are divided, 9 to 8, upon the question of Judge Swayne's guilt of the charges preferred against him, with one exception, that he falsified his expense accounts and

received money on these certificates to

which he was not entitled. Messrs. Palmer (Rep., Pa.), chairman of the special committee which investigated the charges against Judge Swayne made at the last session by Mr. Lamar (Dem., Fla.): Clayton (Dem., Ala.), Henry (Dem. Tex.) and Powers (Rep., Mass.) argued in favor of impeachment on all the charges while Messrs. Littlefield (Rep., Me.) and Gillette (Rep., Cal.) defended Judge Swayne's conduct on the bench, as justified by the law and entirely within the jurisdiction of the court. In closing the debate Mr. Lamar gave assurance that should opportunity offer he would substantiate on the floor the charges he had made last session that Judge Swayne was an arbitrary and cor-

rupt Judge. Messrs. Palmer, Jenkins and Gillette (Republicans), and Clayton and Smith of Kentucky (Democrats), were appointed a committee to notify the Senate of the action of the House to inform it that it would support the resolution by proper articles of impeachment and asking it to take order in the case by requiring Judge Swayne to appear and answer the charges.

The appointment was authorized by a ommittee of seven to prepare articles of impeachment for the action of the House. The action of the House to-day was in effect the vote of a grand jury to indict Judge Swayne; the articles of impeachment will be the indictment and the committee that prepares them will probably be selected as managers on the part of the House to prosecute the case in the

Mr. Palmer in his address recited the charges against Judge Swayne. The first was that he was not a resident of the district in which his court was held. He had never registered nor voted in the State, according to the evidence. Mr. Palmer asserted that he lived in Guyen Court, Del., at which place he told the clerk of the court persons desiring to see him could find him. In the years from 1894 to 1903 the evidence showed that Judge Swayne had held court in his district on an average of sixty days a year; he held court in other districts ninety-three days a year, leaving 212 days unaccounted for. law and exceeding his authority, he sen-

The next charge was that in 1901, without court to prison for ten days and the pay ment of \$100 fine for bringing a suit growing out of a real estate transaction in which he was interested, and which property was in litigation in his court.

Another charge was that in travelling over the State of Florida, and in making a trip with a party of friends to the Pacific Coast, he used, without cost to himself, a private car belonging to a railroad company whose affairs were under the ad-

The next charge was the one upon which the minority of the Judiciary Committee joined the majority in recommendation that Judge Swayne should be impeachedthat he had obtained money from the United States by false pretences, these pretences being that he had expended \$10 a day, the full sum that could be claimed for expenses, while holding court outside his

"If we are to impeach Judge Swayne for this cause," said Mr. Lacey (Rep., Ia.), the House would find itself engaged in a job lot of impeachments."

Mr. Clayton (Dem., Ala.), a member of the sub-committee, followed with a review of impeachment cases in Congress, to show what, in the opinion of that body, constituted "high crimes and misdemeanors." Judge Swayne, Clayton said, was an un-

just Judge and unworthy the place he held. He was confident that the House would not condemn an upright Judge. but upon the request made by the Committee on the Judiciary and the evidence presented he was sure the House would vote to impeach Judge Swayne and put him upon trial.

Whether or not Judge Swayne had been guilty of the offences charged against him, Mr. Powers (Rep., Mass.) said, it was not for the House to determine. That was the function of the Senate, which under the Constitution had been ordained to the case, in case the House decided that probable ground existed for the charges Which of the articles should be selected for the prosecution was a question for future determination

Mr. Littlefield (Rep., Me.) said he stood with the committee only upon the matter of Judge Swayne's expense accounts, for in that there was the presence of false certificates used to draw money from the Treasury. And this was due to the fact that there had been an enlargement of the specifications set forth in support of the charge. In regard to the other charges, Mr. Littlefield said he did not believe that the evidence submitted justified impeach-

The discussion was closed by Mr. Lamar (Dem., Fla.), who introduced last winter the resolutions impeaching Judge Swayne of high crimes and misdemeanors. He ssured the House that if given the opportunity he would prove upon the floor the truth of the charges he had made then, that Judge Swayne was an arbitrary and

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THE CHRISTMAS SHIPS. Kaiser Wilhelm II. and Oceanic Outgoing Full of Gifts.

The outrush of Christmas mail for northern Europe began yesterday with the de-parture of the North German Lloyd steamship Kaiser Wilhelm II. for Cherbourg, Plymouth and Bremen. Supt. McKelvey of the foreign mail branch of the Pos Office said that the big ship, which sailed at 10 o'clock in the morning, carried 35,170 registered packages and 2,311 pouches, somewhat less than she took away last year, when she sailed at 3 in the afternoon. If she had sailed in the afternoon yesterday, the superintendent said, she would have had a larger lot of mail than she carried

last year. The Oceanic of the White Star Line, which sails to-day, will be the the logical Christmas ship, the superintendent said She will get all the mail that was left over from the Kaiser Wilhelm II. and a vas lot of her own.

There are not enough men to handle the outgoing foreign mail, chiefly because competent men are scarce. It requires a peculiar and quick sort of genius to interpret what are called "fool addresses" written in all sorts of queer foreign hands. Among the letters handled are many, all with stamps that would carry them to Europe, addressed to Santa Claus, variously at Greenland Iceland, Norway, England and the North Pole. These are sent to the Dead Letter Office.

SNOW SENDS COAL UP. Retailers Put On an Extra Charge for

Hauling. While the snowstorm was at its height Monday night the members of the Coal Dealers' Association met in the Coal Ex- it is this: That Young was killed as a rechange, in East Fifty-eighth street, and boosted the retail prices a little, in accordance with the announcement made two weeks ago that prices would be advanced herself. In addition, Assistant District as soon as heavy streets interfered with

An increase of 25 cents a ton in domestic coal makes the price \$8.50. Pea sizes are increased 10 cents to \$3.85 for steam coal and to \$4 for apartment use. Buckwheat coal also goes up 10 cents, making the price \$3.35. It was said last night at the headquarters

of the association that the price will drop back within a couple of weeks if the weather clears up at once. A similar increase in coal prices has been made in Brooklyn.

WON'T TAKE \$100,000 BEQUEST. Lawrence University Refuses Will Gift of an Iroquois Fire Victim.

APPLETON, Wis., Dec. 13.-Lawrence University will renounce all claim to the gift of \$100,000 provided in the will of Willis W Cooper, who lost his life in the Iroquois Theatre fire in Chicago. Instead of receiving \$100,000 the university will receive This amount was due on a note given by Mr. Cooper to the university, and an order for its payment was recorded in the County Court here to-day.

It is said the estate, valued at \$200,000 utside of Mrs. Cooper's dower right, will fall to a daughter, Mrs. Maud Cooper Beach of Chicago. No reason is given by the university trustees for their waiving of the claim, but it is conjectured that Mr. Cooper's attendance at a theatre, which is against the ban of the Church, is the reason,

tenced two attorneys practising in his FRIESLAND LIMPS INTO PORT. Steering Gear of the Liner Broke Off the | trial, that he saw J. Morgan Smith in the

Grand Banks-Drifted Two Days. PHILADELPHIA, Dec. 13.-Damaged by a two days hurricane the liner Friesland reached port to-day with the majority of her 770 steerage passengers fervently giving thanks. The Friesland's steering gear was broken during the storm, and for two days the big boat drifted around with the immigrants on the verge of panic and kept in order only by the threats and

promises of the officers and crew. The Friesland left Liverpool on Nov. 30. When off the Grand Banks on Dec. 8 the steamer ran into a great storm Late in the afternoon the steering gear broke and the ship was battered right and left. When the gear was repaired the Friesland crawled down the coast and into port.

NEW JUDGES NOT NAMED. Odell Back in Town, With Nothing to Say

at Present. Governor-Chairman Odell came down from Albany last evening. He was not ready to announce his judicial appointments. He will remain until the end of the week, and he intimated that before he leaves the city he will name the men for the vacancies in the Second and Third Judicial districts. Last night Mr. Odell dined with Whitelaw Reid.

Mr. Odell refused to talk about the Senatorship. He said that there had been no change, so far as he knew, since he was here last, and that in the talks he had had with Governor-elect Higgins in Albany on Monday the Senatorship was not re-

ferred to.

He had a long pow-wow with William Halpin, chairman of the executive committee of the Republican county committee. The new county committee elected at the September primaries will met tomorrow to elect officers. During the cam-paign there was some talk to the effect that Mr. Halpin might become chairman of the committee. When he was asked last of the committee. When he was asked last night if his talk with the Governor-Chair-man had anything to do with Thursday night's meeting of the county committee, Mr. Halpin repiled: "I cannot say what we conferred about as regards probable nothing has been definitely settled.

JUMPED BEFORE BRIDGE TRAIN. Fought to Die, Then Begged the Gentlemanly Police to Let Him.

George Hurley, 39 years old, a stonecutter, of 247 West Thirty-seventh street, jumped from the promenade near the New York anchorage of the Brooklyn Bridge last night, landing on the northbound track for the elevated railroad trains. A track for the elevated railroad trains. A Bridge local train in charge of Motorman. George De Leavey storped about three for from where the man was lying on the track. The motorman thought the man was unconscious and went to his assistance, but the prostrate man jumped up and attacked De Leavey furiously.

"You have no right to interfere with me!" e shouted. "All I want is to die!" Policeman Joseph Wells of the Bridge squad got Hurley to the Oak street station after a hard tussle. The man said he had no money, friends or work. He prayed that "the gentlemanly police would kindly allow him to die." He was sent to the psychopathic ward at

Seaboard Quickest Service Sout Via Pinehurst and Camden to Florida, through sleepers. Office 1183 Broadway.--Ade.

Nerves, stomach, liver disorders. Bohn's Laza-

PLOT, CRIES RAND,

To Wrong Caesar Young, Led to His Death.

J. MORGAN SMITH IN IT.

Girl's Lawyers Accused of Conniving at His Flight.

Young Was Killed, Says the Prosecutor as the Result of a Conspiracy Against Him by Nan Patterson and the Smiths -The Man Who Paid the Bills Was Escaping to Europe-Plan Was Not W Kill Him, but a Pistol Had Been Provided, and Killed He Was-Smith Was Startled by That-Left Town Hurriedly. Nan's Father Carrying Him His Clothes

The trial of Nan Patterson on a charge of having murdered Bookmaker Cæsar Young took a sensational turn late yesterday afternoon, and the prosecution laid bare what it expects to prove. Briefly suit of a conspiracy between J. Morgan Smith. Nan's brother-in-law, his wife, Mrs. Julia Smith, Nan's sister, and Nan Attorney Rand declared that he would show that the disappearance of J. Morgan Smith was brought about through the connivance of Nan's counsel and her father and at the instigation of Nan. Mr. Rand had said that the killing had been planned. but he later modified this statement by saying that Young was killed not as a result of a plan of kill him, but as the result of a conspiracy to do Young a wrong. It has been contended that when Nan got into the cab with Young her scheme was to threaten him and hold him up for more

Mr. Rand had not expected that he would have to outline to the defence the fabric of his case. It came out through an objection on the part of the defence to the admission of evidence that would show that Smith was a fugitive, and had disappeared while under subpoena and in contempt of court. When Mr. Rand cried that Smith had disappeared through the connivance of Nan's counsel, there was a stir, but Mr. Rand added, turning with a smile to Mr.

"I exclude you from that charge."

"Thank you," said Mr. Levy. Former Assistant District Attorneys Unger and O'Reilly said nothing. After court had adjourned Mr. O'Reilly said

with some heat: "Mr. Rand needn't leave Levy out. Levy sent Unger and me to see Nan and J. Morgan Smith on that day. He knew what we were going to do, and I for one am not going

to let Levy get out." Capt. Sweeney of the Leonard Street tation had testified, as he did at the miscorridor of the Grand Jury room on the day of June 8. Mr. Rand was seeking to show that Capt. Sweeney had a subrona for Smith which he had been unable to serve. Mr. Levy and Mr. Unger made storm of objections. Mr. Unger rend a number of decisions tending to show that the courts had held that the evidence of Smith's disappearance could not be admitted. After listening to Mr. Unger for some time, Justice Davis called Mr. Rand and Mr. Levy to the bench and they had a whispered conversation. Then Mr. Rand

"I feel that it is my right and my duty to show that a material witness has disappeared. We will show that J. Morgan Smith and his wife and the defendant were all accomplices in a conspiracy."

At this point Justice Davis sent the jury home, although it was half an hour before the usual hour of adjournment. When the jury had gone, Justice Davis left the bench for a few moments and then returned to court. Then he announced that he would hear argument. Mr Rand "The testimony about J. Morgan Smith

is necessary in order to show a complete connection in the killing of Young. will show that the plan was laid, and we have evidence that will show the confederation and what founded it. It is necessary that this testimony should be admitted, not only to explain the absence of a material witness, but also to show the acts of a confederate in a conspiracy. We intend to prove that Smith ran away suddenlyso suddenly, in fact, that Nan's father had to carry him his clothes. We will show that this was after a conference between her father and her counsel and Smith." "She was there, too," said Mr. Unger.

"I know that," said Mr. Rand, "and of course I don't expect to prove by word of mouth from her what happened at that conference, but it is fair to assume that Smith disappeared at the instigation of this defendant. Of course, it was my intention to bring this all out not now, but ultimately. When it came to summing up this case, I would have had to explain to the jury the absence of this witness, and, of course, there would be nothing to prevent the defendant's counsel from getting up and calling him a scoundrel and saying that they wanted him as much a any one; but I will show that this man ran away with the actual connivance of the defendant's counsel. I do not expect to show that he was an accomplice in a conspiracy to kill Young. I think he was the most surprised man in New York when he heard that Young was dead. If you will remember, at the last trial, a witness testified that Smith turned ghastly pale when he heard that Young was dead. What I do expect to show is that Smith was in a conspiracy, not to kill Young, but to do him a great wrong, and that as a result of that conspiracy Young was killed."

Justice Davis announced that he would not make any decision until this morning, when the trial will be resumed. Mr. Rand had requested that nothing be done until he had a chance to consult with Assistant District Attorney Gans. Mr. Rand and Mr. Gans had a conference last night. They

will have another this morning. Several new witnesses were produced by the prosecution *yesterday. H. J.